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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Joshua S. Barkley,

10 Plaintiff,

11 v.

12 United States Department of Labor, et al.,

13 Defendants.
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No. CV-19-01595-PHX-DWL

ORDER

15 Pending before the Court are two nearly identical motions to strike the Amended
16 Complaint (Doc. 21) for failure to comply with the requirements of LRCiv 15.1(b), filed
17 by Defendants International Association of EMTs and Paramedics IAEP/NAGE/SEIU
18 5000 (Doc. 22) and Independent Certified Emergency Professionals of Arizona (Doc. 23)
19 (together “Defendants”). Defendants note that “Plaintiff did not file a separate Notice of
20 Filing of the Amended Complaint and did not include a copy of the Amended Complaint
21 that indicates how it differs from the original Complaint.” (Doc. 22 at 1; *see also* Doc. 23
22 at 1.) Both motions note that it would be difficult and inefficient to proceed without the
23 ‘redlined’ draft (Doc. 22 at 2; Doc. 23 at 2), which is exactly why the local rules require
24 the filing of redlined drafts when parties amend pleadings. Defendants note that they are
25 “not trying to prevent Plaintiff from filing an Amended Complaint” and ask only that
26 Plaintiff file the required notice and redlined version of the amended pleading to allow
27 them to easily recognize the difference between the original complaint and the amended
28 one. (Doc. 31 at 2; Doc. 32 at 2.)

The Court will grant the requested relief to the extent Defendants request that Plaintiff be required to file the Notice and redlined draft of the amended complaint as required by LRCiv 15.1(b). It is important for litigants to follow the local rules. Moreover, the rule requiring a redlined draft makes it easier for all parties—and for the Court—to understand how the amended complaint differs from the original complaint. However, if Plaintiff files the separate notice and redlined draft required by LRCiv 15.1(b), there is no need to strike the amended complaint at Doc. 21.

Accordingly,


IT IS ORDERED that the motion to strike filed by Defendants International Association of EMTs and Paramedics IAEP/NAGE/SEIU 5000 (Doc. 22) is granted in part and denied in part.

IT IS FURTHER ORDERED that the motion to strike filed by Independent Certified Emergency Professionals of Arizona (Doc. 23) is denied as moot, as it seeks the same relief granted in part above.

IT IS FURTHER ORDERED that by May 20, 2019, Plaintiff must file the separate notice and redlined draft required by LRCiv 15.1(b).

IT IS FURTHER ORDERED that on **May 21, 2019**, the Clerk of Court shall strike the Amended Complaint (Doc. 21) if Plaintiff fails to file the separate notice and redlined draft required by LRCiv 15.1(b) by May 20, 2019.

Dated this 14th day of May, 2019.


Dominic W. Lanza
United States District Judge